

REMARKS

By this Amendment, claims 1, 17, 31, 37, 39, and 40 are amended. Claims 1, 17, 31, 37, 39, and 40 are amended to recite that the question section and/or answer section of DNS requests and responses are modified. Claim 31 is further amended to address an objection to the claim based on inadequate antecedent basis. Support for the claim amendments comes from the specification and drawings, as originally filed, at paragraph 30 (of the published application) and Figure 3, for example. Accordingly, no new matter is added by this Amendment.

I. *Telephonic Interview*

Applicant would like to thank the Examiner for the courtesies extended to him and his undersigned representative during a telephonic interview on 21 September 2006. Applicant's understanding of the issues and positions discussed during the interview are discussed below, where appropriate.

II. *Objections to Prior Amendments and Claims*

In the Final Office Action, the Office objects to reasons for claim amendments, which were stated in Applicant's response filed 14 April 2006. (Final Office Action at paragraph 3.) In particular, the Office questions how some claim amendments are considered by Applicant as correcting typographical or grammatical errors. Applicant submits that the previous reasons provided were unintentionally incomplete. Applicant further submits that some of the

amendments were made to further clarify the subject matter of the claims (*e.g.*, to change method steps within an apparatus claim to elements rather than method steps) and to provide antecedent basis for claim terms. Support for claim terms added in the previous Amendment can be found in the specification, as originally filed, at paragraphs 31 and 35 (of the published application), for example.

In addition, in the Final Office Action, the Office states that, for the purpose of examination, the terms "DNS messages", "data packets", and "DNS packets" are broadly interpreted as data, implying that they were considered as equivalent terms. (Final Office Action at paragraph 4.) During the telephonic interview, Applicant discussed the difference between the use of "DNS packets" in the present claims and "data packets" of the cited art. It was suggested that alternative terms for Applicant's "DNS packets" could be introduced into the claims to better distinguish Applicant's invention from the prior art, when considering these terms as equivalents. By this Amendment, the claims have been amended in an attempt to clarify what was originally meant by "DNS packets".

Finally, the Office objects to claim 31 as lacking proper antecedent basis for the term "the network backbone". (Final Office Action at paragraph 5.) By this Amendment, claim 31 is amended to correct the identified problem with antecedent basis for this term.

In view of the changes to the claims and the cited support for claim language, Applicant requests that the Office reconsider and withdraw the objections set forth in the Final Office Action.

III. *Rejections Under 35 U.S.C. § 103(a)*

A. Alteon In View Of He

The Office maintains the rejection of claims 1-13, 15-27, 29, and 30 as unpatentable under 35 U.S.C. § 103(a) over Alteon in view of He. (Final Office Action at paragraph 7.) In maintaining the rejection, the Office states that Applicant's arguments against this combination were not persuasive because Alteon teaches manipulation of a DNS packet so that the proper DNS server will receive it (see paragraph 11 of the Final Office Action). Applicant respectfully traverses this rejection as it applies to the claims, as amended herein, and requests that the Office reconsider the rejection and withdraw it.

The independent claims of the present application have been amended to more clearly indicate that the originally-recited phrase "modifying DNS packets" (or an equivalent phrase) was intended to mean modifying the question section of a DNS request, the answer section of a DNS response, or both. In view of this clarification, Applicant re-submits the arguments presented on 14 April 2006 against Alteon as prior art against the presently claimed invention, and submits that, for the reasons stated in that response (taken in the context of the language of the present claims), the presently claimed invention is not rendered obvious by a combination of Alteon and He.

More specifically, and in addition to the arguments previously presented, as discussed in the telephonic interview with the Examiner, Alteon does not modify sections within a DNS request or response, and in particular does not modify the question section of a DNS request or

the answer section of a DNS response. Indeed, Alteon does not disclose or suggest altering any section of a DNS request or response. Rather, Alteon is limited to changing the IP address of an IP packet. As discussed in the previous response, the difference can be analogized to regular paper mail: in such an analogy, Alteon would be changing the address on the envelope containing a message, whereas the present invention would be opening the envelope and changing the message contained inside the envelope. Stated another way, Alteon is acting at the network layer (*i.e.*, layer 3), whereas the present invention is acting at the data link layer (*i.e.*, layer 2).

Applicant submits that the modifications Alteon is disclosing are distinct and different from the modifications recited in the present claims, and that Alteon's modifications, which are limited to changes in IP addresses, at layer 3 of the OSI model, do not suggest the modifications recited in the present claims, which modify the content of the question and/or answer sections of DNS messages, at layer 2 of the OSI model.

For at least this reason, Applicant submits that the teachings of Alteon are not directly relevant to the presently claimed invention. Thus, in order for Alteon to be combined with another reference to render the present claims obvious, the other reference must at the very least disclose or suggest modifying the question section, the answer section, or both, of DNS messages. Applicant submits that He does not disclose or suggest such a modification.

Because neither Alteon nor He discloses or suggests modifying the question section, the answer section, or both, of DNS messages, these references, alone or in combination, fail to teach

or suggest each and every element of the rejected independent claims. Because dependent claims include all of the elements and steps of the claims from which they depend, the combination of Alteon and He fails to disclose each and every element of the rejected dependent claims. Accordingly, the combination of Alteon and He fails to render the rejected claims obvious. For at least this reason, Applicant requests that the Office reconsider and withdraw the rejection of claims 1-13, 15-27, 29, and 30 as unpatentable under 35 U.S.C. § 103(a) over Alteon in view of He.

B. Alteon In View Of He And Macpherson et al.

The Office maintains the rejection of claims 14, 15, and 18-30 as unpatentable under 35 U.S.C. § 103(a) over Alteon in view of He and further in view of Macpherson et al. (Final Office Action at paragraph 8.) In maintaining the rejection, the Office states that Applicant's arguments against this combination were not persuasive because Alteon teaches manipulation of a DNS packet so that the proper DNS server will receive it (see paragraph 11 of the Final Office Action). Applicant respectfully traverses this rejection as it applies to the claims, as amended herein, and requests that the Office reconsider the rejection and withdraw it.

As discussed in detail above, neither Alteon nor He discloses or suggests modifying the question section of a DNS request, the answer section of a DNS response, or both. Accordingly, for the combination of Alteon, He, and Macpherson to have rendered claims 14,15, and 18-30 obvious, Macpherson must disclose or suggest this concept. Applicant submits that Macpherson neither discloses nor suggests modifying the question section of a DNS request, the answer

section of a DNS response, or both. Accordingly, the combination of Alteon, He, and Macpherson fails to teach or suggest each and every element and step of the rejected claims.

Because none of Alteon, He, and Macpherson discloses or suggests modifying the question section, the answer section, or both, of DNS messages, these references, alone or in combination, fail to teach or suggest each and every element of the rejected independent claims. Because dependent claims include all of the elements and steps of the claims from which they depend, the combination of Alteon, He, and Macpherson fails to disclose each and every element of the rejected dependent claims. Accordingly, the combination of Alteon, He, and Macpherson fails to render the rejected claims obvious. For at least this reason, Applicant requests that the Office reconsider and withdraw the rejection of claims 14, 15, and 18-30 as unpatentable under 35 U.S.C. § 103(a) over Alteon in view of He and further in view of Macpherson.

C. Alteon In View Of He And Parekh et al.

The Office rejects claims 31-41 as unpatentable under 35 U.S.C. § 103(a) over Alteon in view of He and further in view of Parekh et al. (Final Office Action at paragraph 9.) In rejecting the claims, the Office states that it would have been obvious to combine the database and geographical linkages taught by Parekh with the system of Alteon and He to arrive at the invention of the rejected claims. (Final Office Action at paragraph 9.) Applicant respectfully traverses this rejection as it applies to the rejected claims, as amended herein, and requests that the Office reconsider the rejection and withdraw it.

As discussed in detail above, neither Alteon nor He discloses or suggests modifying the question section of a DNS request, the answer section of a DNS response, or both. Accordingly, for the combination of Alteon, He, and Parekh to have rendered claims 31-41 obvious, Parekh must disclose or suggest this concept. Applicant submits that Parekh neither discloses nor suggests modifying the question section of a DNS request, the answer section of a DNS response, or both. Accordingly, the combination of Alteon, He, and Parekh fails to teach or suggest each and every element and step of the rejected claims.

Because none of Alteon, He, and Parekh discloses or suggests modifying the question section, the answer section, or both, of DNS messages, these references, alone or in combination, fail to teach or suggest each and every element of the rejected independent claims. Because dependent claims include all of the elements and steps of the claims from which they depend, the combination of Alteon, He, and Parekh fails to disclose each and every element of the rejected dependent claims. Accordingly, the combination of Alteon, He, and Parekh fails to render the rejected claims obvious. For at least this reason, Applicant requests that the Office reconsider and withdraw the rejection of claims 31-41 as unpatentable under 35 U.S.C. § 103(a) over Alteon in view of He and further in view of Parekh.

IV. *Conclusion*

Applicant submits that all of the objections and rejections raised in the Final Office Action of 7 July 2006 have been addressed and overcome. Accordingly, Applicant requests that the Office reconsider the outstanding objections and rejections, withdraw them, and allow this application to issue as a U.S. patent in due course.

If the Office believes anything further is necessary to place this application in even better condition for allowance, Applicant requests that the Office contact his undersigned representative at the telephone number below to discuss the remaining issues.

A Request for Continued Prosecution is filed herewith, along with the appropriate fee. Applicant believes that no petition or other fee is required to enter this paper. However, if a petition is required, please grant it, and if an additional fee is due, please charge the fee to Deposit Account No. 50-3740.

Respectfully submitted,  
Sezen UYSAL



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